

GENERAL AND REVENUE SECRETARIAT.

✓
1904.

(Sep. Rev)

File No. 16 of 03-04

Serial Nos. 1-5

Papers Filed.

Month July

SUBJECT..

Dismissal of Mirza Mahomed, late Excise
Inspector, Gulbela circle, Madras D^y

PREVIOUS REFERENCES.

LATER REFERENCES.

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

Subject. Appeal from Mirza Mahomed
late Revenue Inspector, Sollebilu Circle
Kadur District, against the order
of dismissal passed by the
D.C. Kadur & confirmed by
the Re. Commr.

Note. This is an appeal against
the order of the Re. Commr., dated
15.11.14, the Mahanija. This
is sent to this office for disposal.
This being an appeal, a report
has to be called for from the
Revenue Commr., but copy of
the order appealed against
not ruled by the Re. Commr. ^{may} a
report be called for on the Re. Commr.
be returned for perusal with
a copy of the original order of the
Re. Commr.
ruled for order.

Report may be called for
6/2/14

7/2/14

- * 1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

- † 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

As ordered the report was called
for in this office memorandum no
 $\frac{533}{24}$ of 10/2/04

Letter no $\frac{834}{522}$ of $\frac{11}{12}$ May 1904 from the Excise
Commissioner, submitting his report
& the papers connected with the dis-
missal of the appellant (late Excise
Asst. Inspector Murga Motiram), has
now been received.

The history of the case, which is a simple
one, is given in the Excise Commissioner's
letter. After giving the history, he
has merely ~~referred~~ referred to his own con-

-ferring the one paper by the Deputy
Commissioner & has ^{refrained from giving} ~~expressed~~ any opinion or making any remarks.

The reason given by the Deputy Commis-
sioner for the dismissal of the appellant
is "found unfit for Govt Service
both morally & physically."

The action taken by the Excise Assistant
Commissioners in ^{the investigation of} this case does not ap-
-pear to be satisfactory. Instead
of depending on the reports of Subordi-
-nate Officers, they could have
personally examined the individuals
concerned in the case & recorded
^{their} depositions. This no doubt ^{would} add
considerable weight to the evidence.

Collected.

1) ~~looked into the sale~~ forming part of
the sale proceeds of the Amami Shop
as alleged in Kubbucami Pillai's
Arzi, as is evident from Kubbucami
Pillai's subsequent statements re-
corded by the Supervisor of Kabbha and
there seems to have been no occasion
or reason for Mirza Mohamed
to handle any of that money as all
the Amami sale accounts were kept
by the Kabi Mutsaddi & the profits
paid by him to Kubbucami, as
was arranged between them at the
beginning. The Mutchalike given by
Kubbucami to the Mutsaddi & the Muts-
saddi report to the Asst. Inspector
prove this. The Mutchalike & Rebott
are in original in the Records.

One remarkable feature of this
case is that the records sent up are
not complete. The Amami No 30
of N. 9. 900 is in the first place missing.
Several other papers referred to in the
Asst. Inspector's Explanation are not
in the records of the case. There are
No 337 of 31-8-900 From the Deputy Commr.
Kadur to Supervisor
Kabbha.

Nos 28 & 29 of 21-7-900 } The Asst. Inspector's
64 of 16-8-900 } reports
69 of 21-8-900 }
79 of 27-8-900 }

M. S. S. S.
21.6.04

General and Revenue
Secretariat.

Ex. File No. 16 of 1903-04

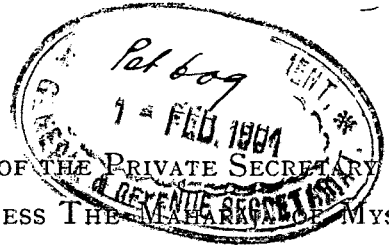
Serial
No.

Draft Endorsement to Petitioner &
Copy to Exchequer returning records
are submitted to the Secy

Pak. Mully 18/7/04
18-7-04

Draft paper 18/7/04
18/7/04

S. R. 16 of 1903-04
Sl no 1.



OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE.

Bangalore, 30th January 1904

182 2314
Enc 1

Petition as shown below, to His Highness the Maharaja, is

transferred to the secretary to the Government of Mysore in the

for General Department, Bangalore, for disposal.

No. 1167 D/ 30-1-04.

By Order,

I. C. S.

Private Secretary
to H. H. The Maharaja of Mysore.

P. H.
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To

His Highness,

SRI KRISHNARAJA WADAYAR BAHADUR

Maharajah of Mysore.

THE HUMBLE MEMORIAL OF MIRZA MAHOMED

May it Please Your Highness,

1. Your Highness's Memorialist is a descendant of Mahomed Baker, attached in the olden times to the Mysore Durbar, but owing to reverses, the family had to leave the country.

2. Your Highness's Memorialist was educated in the Salem College and was Persian Munshi to some of the Officers and was also officially employed as a Mess Writer.

3. Being anxious to enter Government service he applied to Mr. Davy, supported by the recommendation of the Officers of the Dorset Regiment, and finally got employed as an Excise Inspector in 1899.

4. In February 1901 Your Highness's Memorialist received the orders of the Deputy Commissioner of Kadur intimating that his services had been dispensed with on the ground that Your Highness's Memorialist was unfit both morally and physically.

5. Being only 28 years old and in the best of health Your Highness's Memorialist could not account for his superior officer thinking him to be physically unfit. As regards his moral unfitness nothing definite was stated and the Memorialist is not aware of having done anything of which he need be ashamed; on the contrary he has been doing his work honestly and to the best interests of the Department he was serving.

6. Naturally, of course, Your Highness's Memorialist appealed to the Excise Commissioner against the order of the Deputy Commissioner and fully hoped his case would be dealt with in as just and fair a manner as was possible. He was, however, disappointed by the order he received, for the Commissioner says the Memorialist's services were dispensed with as he had been only temporarily employed and was over 25 years and therefore unfit to be confirmed. adding that the Memorialist procured a loan to work a shop.

7. The Memorialist now begs to submit that age qualification is not a factor for appointments of the kind in which he had been employed and he was in fact below 25 when entertained. The establishment sanctioned for Bagani areas of Malnad was not a temporary one and it still exists, the place held by Memorialist being given now to another and Your Highness's Memorialist was not taken on temporarily as the order of 1899 shows. With regard to the insinuation in the Commissioner's endorsement, Your Highness's Memorialist emphatically denies that he ever acted in the manner supposed and he is prepared to prove he is innocent of complicity of any sort.

Your Highness's Memorialist is grieved to find his future rendered absolutely dark by vague accusations made and acted upon without giving him an opportunity to establish the contrary.

Your Highness's Memorialist applies therefore to Your Highness for a merciful consideration of his case by giving him an opportunity to disprove what has been alleged against him, and in the event of his satisfying Your Highness on this score by directing his restoration to service.

For this act of grace Your Highness's Memorialist will ever feel grateful.

I beg to remain,

Your Highness' most obedient servant,

MIRZA MAHOMED,

Late Excise Inspector,
Sollibile Circle.

c/o AGENT, MESSRS. ARBUTHNOT & Co.,
Government Central Distillery,
BANGALORE CITY.

21st January 1904

No 553
of 6/2/04
S. R. 16 of 1903-04
Sl no 2.

Memorandum

Memorial, ref. no. $\frac{1736}{2 \times 317}$
of 21/1/04, from Muzi
Mahomed, late Excise
Inspector, Sollihle Cich,
appealing against the
order of dismissal passed
by the D3 Commr. ^{Kadurot} and
confirmed by the Excise
Commr., is forwarded
to the Excise Commr. ^{in Mysore} for
favour of an early report
with the records of the case.

By Order

[Signature]

for Offs Secretary

[Signature]
8/2/04

11-2-04

3. When the Memorialist was in Sollebye Circle, the arrears Vend Hammer of that Circle for 1900-01 having failed to work the shops, they were, pending resale, placed under Government (Amami) management and Vendors appointed to work them.

4. One of the aforesaid Vendors, i.e., Kuppusawmy having complained that the Memorialist had been managing the shops for his personal benefit, an enquiry was held and the Amildar of the Taluk found the complaint to be true.

May 10

5. The Divisional Officer here having agreed with the Amildar reported to the Deputy Commissioner, Madurai, that the Memorialist had been working the shops in the name of Complainant for his personal benefit by lending money to the complainant and taking a bond in his (Memorialist's) son's name and that his conduct was "highly injudicious and unsatisfactory". He also stated that ever since the Memorialist's appointment his work had been "most unsatisfactory" that he was always "Shaming Sickness"

and

May 11

and that he was "for ever quarrelling with his subordinates and that it was impossible to get men to work under him", and recommended that his services might be dispensed with.

6. Upon the above report, Mr Sparkes the Deputy Commissioner passed the following order dated 19th February 1901.

"Inspector Mirza Mahomed temporarily employed being found unfit for Government Service both morally and physically, his services are dispensed with from date of order."

7. Mirza Mahomed appealed to me, but on perusal of the record I saw no grounds to interfere with the order of his dismissal vide endorsement No $\frac{1851}{26}$ dated 3rd September 1901.

8. The records of the case in accompanying and the memorial under report is retransmitted.

I have the honor to be
Sir
Your most obedient servant,

W. G. A. L. C. /
For Excise Commissioner
M. B.

of & file
27/7
No. 528
Ex 7. 1603

S. R. 16 of 03-04
Mysore Dist.
Genl. Revenue Secretariat.
- 29.7.04.

Endorsement granted to
Mirza Mahomed, late Excise Inspector,
Sollibile Circle, c/o Agent, Messrs. Arbuthnot
and Co, Govt. Central Distillery, Bangalore city,
in reply to his petition registered no. 1736 R, dated
the 21st January 1904, addressed to H. H. the
Maharaja, appealing against the order of
dismissal passed by the Deputy Commissioner,
Kadur Dt., and confirmed by the Excise
Commissioner in Mysore

Petitioner is informed that
the Govt of H. H. the Maharaja see no reason
to interfere with the order appealed against.

By Order


18/7/1904
Offr. Secretary

27/7

nick
18/7/04